SINGLE BENCH

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BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR (C.G.)

Writ Petition (S) No. 1248 /2007

WRIT PETITION UNDER ARTICLES 226 OF THE
CONSTITUTION OF INDIA

PETITIONER

Smt. Ahelya Bai Tondon, aged about 22 years, wife of Shri Arun Kumar Tondon, resident of village Taaksiwa, Post – Lawatara, Tah. Berla, Distt. Durg (C.G.)

P.R. No. 695/07
Presented by Om P. Sahu
dated 22/11/07

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through the Secretary, Department of Woman and Child Welfare, Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. The Collector, Distt. Durg, Office at Durg (C.G.)
3. The Chief Executive Officer, Janpad Panchayat Berla, Distt. Durg (C.G.)
4. The Project Officer – Berla, Distt. Durg (C.G.)
5. Smt. Reena Patel, wife of Shri Nandkumar Patel, aged about 22 years, resident of village Takeshwar, Tah. Berla, Distt. Durg (C.G.)

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OATH COMMISSIONER
S.R. Kaushik
BILASPUR TAHSIL AREA

(28)

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) No. 1248 of 2007.

Petitioner : Smt. Ahelya Bai Tondon.

versus

Respondents : State of Chhattisgarh & Others

Present : Shri N.S.Dhurandhar, Advocate for the petitioner
Shri Vinay Pandey, Panel Lawyer for the respondent no. 1 to 4/State.

ORDER
(Passed on 2nd of March, 2007)

1. Learned counsel appearing for the petitioner submits that the respondent no. 5 has been appointed in her place, though the petitioner is better qualified, lives below the poverty line and belongs to Scheduled Caste community. The respondent no. 5 is not living below the poverty line and she belongs to general category.

2. According to the learned counsel for the petitioner, the petitioner has preferential right over the respondent no. 5.

3. Be that as it may, the Collector, Durg is directed to look into the allegations made by the petitioner and pass appropriate orders in accordance with law as per Anganbadi Scheme.

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4. This matter is accordingly disposed of. No order as to costs.

5. Consequently, M(W)P no. 816/2007 stands disposed of.

Sd/-
Satish K.Agnihotri
Judge

Amit